

Exhibit A



NATURAL RESOURCES DEFENSE COUNCIL

June 26, 2007

BY REGISTERED MAIL
RETURN RECEIPT REQUESTED

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Re: Notice of Intent to Sue Under Section 7002(a)(1)(B) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6972(a)(1)(B).

Pursuant to section 7002(a)(1)(B) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6972(a)(1)(B), the Natural Resources Defense Council (NRDC), Beatrice Holt, Sheila Holt-Orsted, Wanda K. Stewart, and Ann Sullivan put you on notice of their intent to sue for abatement of an imminent and substantial endangerment to health and the environment in connection with contamination caused by disposal of trichloroethylene (TCE) at the Dickson County Landfill (Landfill) in Dickson, Tennessee.

This letter is sent on behalf of Beatrice Holt, Sheila Holt-Orsted, Wanda K. Stewart, and Ann Sullivan, each of whom has been exposed and continues to be exposed to unsafe levels of TCE in water, air, and soil as a result of disposal and continued contamination at the Landfill. This letter is also sent on behalf of NRDC. These individuals and NRDC believe that TCE from the Landfill present in groundwater, surface water, soil, and air poses a continuing risk of serious harm to public health and the environment.

1. Dickson County Landfill.

The Landfill opened as an unregulated city dump in 1968, and currently consists of 74 acres located about 1.5 miles southwest of the City of Dickson on Eno Road. The Landfill is managed by the Dickson County Solid Waste Department and permitted by the Tennessee Department of Environment and Conservation (TDEC). The Landfill has been the source of TCE discharges into groundwater, surface water, and soil in Dickson County for several decades. The City of Dickson operated the Landfill from 1968 to 1977, and the County of Dickson assumed operations in 1977. Although currently permitted as a Class IV landfill to accept demolition and construction wastes, the Landfill originally was permitted as a Class I facility for domestic, commercial institutional, farming, land-clearing, and municipal solid waste, shredded automotive tires, dead animals, and similar wastes.

The Landfill sits in a region that is dominated by karst geologic and hydrogeologic conditions. The karst geology displays distinctive surface features and underground drainages, often causing groundwater to flow through aquifers comprised of fractured rock, like limestone, with large pockets and joints. At the Landfill, the karst geography greatly exacerbates contamination problems because the groundwater does not flow evenly. In particular, large openings in the rock facilitate both rapid migration and pooling of contaminants.

2. RCRA Section 7002.

Section 7002(a)(1)(B) of RCRA, 42 U.S.C. § 6972(a)(1)(B), allows affected citizens to bring suit against:

any person, . . . including any past or present generator, past or present transporter, or past or present owner or operator of a treatment, storage or disposal facility, who has contributed or who is contributing, to the past or present handling, storage, treatment, transportation, or disposal of any solid or hazardous waste which may present an imminent and substantial endangerment to health or the environment.

3. Responsible Parties.

The City of Dickson and County of Dickson are past or present owners or operators of the Landfill. Saltire Industrial, Inc. – formerly known as Scovill Inc., which included the Schrader Automotive Group – disposed of TCE at the Dickson County Landfill. Alper Holdings USA, Inc. is the parent company of Saltire Industrial. Schrader-Bridgeport International and ArvinMeritor are successors in interest of Saltire Industrial. Tomkins PLC wholly owns and operates Schrader-Bridgeport International.

Each of these parties – the County of Dickson, the City of Dickson, Saltire Industrial, Alper Holdings, Schrader-Bridgeport International, ArvinMeritor, and Tomkins PLC (the “Responsible Parties”) – are jointly and severally liable for contributing to the endangerment to public health and the environment. Years after becoming aware of the continuing hazards posed by TCE contamination at the Landfill, none of the Responsible Parties has taken the actions necessary to abate the ongoing endangerment.

4. Imminent and Substantial Endangerment Caused by TCE Contamination at the Dickson County Landfill.

a. Human Health Risks from Exposure to TCE.

TCE is a volatile organic solvent used as a metal degreaser. Human exposure occurs through drinking contaminated water, dermal contact with contaminated water, handling contaminated soil, and inhaling TCE that vaporizes out of soil or water. TCE causes nervous system, cardiovascular, kidney, liver, immune system, and reproductive harm. *See, e.g., National Research Council, National Academy of Sciences, Assessing the Human Health Risks of Trichloroethylene: Key Scientific Issues*, at 4-8, (2006) (“NAS Report”). TCE has been associated with increased rates of certain types of cancer. *See id.* at 4-6, 8, 134-35, 237-38, 254-55. Several recent studies also show increased rates of birth defects in children whose mothers drank TCE-contaminated water while pregnant, including oral cleft palates and neural tube defects. *See id.* at 201-02; *see also* U.S. Dep’t of Health & Human Svcs., Agency for Toxic Substances and Disease Registry, *Toxicological Profile for Trichloroethylene*, at 4, 84-85 (Sept.

1997). Maternal exposure to TCE has also been associated with low birth weight and congenital heart defects in newborns. *See* NAS Report at 203-04.

b. Monitoring Results and TCE Contamination.

Both the Tennessee Department of Environment and Conservation and the U.S. Environmental Protection Agency have identified the Landfill as a source of TCE in groundwater. Portions of the Landfill are unlined, meaning there is no barrier between the landfill and the groundwater aquifer underneath. TCE has been detected in private residential wells, private springs, and a city water supply well (known as DK-21) near the Landfill at levels over 100 parts per billion (ppb) and occasionally over 200 ppb – twenty to forty times the safe drinking water standard. Detections in soil and in monitoring wells at the landfill itself have been measured over 30,000 ppb.

Sheila Holt-Orsted and Beatrice Holt were exposed to TCE-contaminated water from their private family well (referred to as the “Harry Holt well”), located fewer than 500 feet southeast of the Landfill on the Holt property. Sampling results from the Harry Holt well from 1988 to 2003 have repeatedly exceeded 100 ppb. Sheila Holt-Orsted grew up at the Holt property and currently lives there about half the year. Beatrice Holt has lived at the Holt property continuously since 1973. Both drank water from the contaminated well for decades, and bathed and cooked with it as well.

Wanda K. Stewart and Ann Sullivan were exposed to TCE-contaminated water from a surface water spring on their property referred to as Sullivan Spring, on Furnace Hollow Road, downgradient of the Landfill on the Sullivan property. Sampling data shows that TCE detections at Sullivan Spring routinely exceed 100 ppb, and occasionally exceed 200 ppb.

Both of these families – the Sullivans and the Holts – have recently been connected to the municipal water supply, and no longer rely on their contaminated wells or springs for drinking water. However, they continue to be exposed to TCE through soil contamination and likely through vapor intrusion in their homes.

5. Intent to Sue.

We intend to file suit in the United States District Court for the Middle District of Tennessee, and we will seek abatement of the imminent hazard caused or contributed to by the Landfill’s historical and ongoing discharges of TCE to groundwater, surface water, and soil in Dickson County. We will ask the Court, among other things, to order the Responsible Parties to: (1) fund a thorough, independent, scientific study or studies designed to reveal the precise scope and nature of the endangerment and identify effective, environmentally-sound means to eliminate it; and (2) fund appropriate abatement and cleanup measures, based on the results of the study or studies.

If you have any questions about the issues raised in this letter or wish to discuss its contents with us, please contact Aaron Colangelo at the address and phone number listed below. We request that, if you wish to discuss this matter before the complaint is filed, you contact us as quickly as

possible. We intend to file the complaint promptly upon the expiration of the 90-day notice period stipulated by 42 U.S.C. § 6972(b)(2)(A).

Respectfully,



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